

DEC 28 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Joseph M. Torgerson et al.

Examiner: Laura E. Martin

Serial No.: 10/827,030

Group Art Unit: 2853

Filed: April 19, 2004

Docket No.: 200210152-1

Title: FLUID EJECTION DEVICE

**CERTIFICATE OF TRANSMISSION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the following papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No.: (571) 273-8300 on the date shown below:

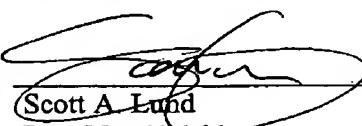
1. Transmittal Letter for Response to Restriction Requirement (1 pg.);
2. Response to Restriction Requirement (2 pgs.).

Respectfully submitted,

Joseph M. Torgerson et al.,

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Date: Dec. 28, 2006  
SAL:hsf

By: 

(Scott A. Lund  
Reg. No. 41,166

4 PAGES - INCLUDING COVER PAGE

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## PATENT APPLICATION

ATTORNEY DOCKET NO. 200210152-1

Inventor(s): Joseph M. Torgerson et al.

Confirmation No.: 2745

Application No.: 10/827,030

Examiner: Laura E. Martin

Filing Date: April 19, 2004

Group Art Unit: 2853

## Title: FLUID EJECTION DEVICE

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

<input type="checkbox"/> Response/Amendment	<input type="checkbox"/> Petition to extend time to respond
<input type="checkbox"/> New fee as calculated below	<input type="checkbox"/> Supplemental Declaration
<input checked="" type="checkbox"/> No additional fee	
<input checked="" type="checkbox"/> Other Response to Restriction Requirement	Fee\$

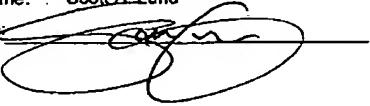
CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+	\$360
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1590		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

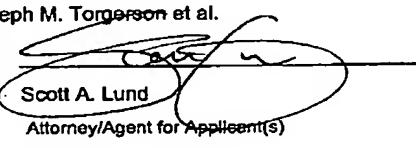
Date of facsimile: December 28, 2006

Typed Name: Scott A. Lund

Signature: 

Respectfully submitted,

Joseph M. Torgerson et al.

By 

Scott A. Lund

Attorney/Agent for Applicant(s)

Reg No.: 41,166

Date: December 28, 2006

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Applicant: Joseph M. Torgerson et al. Examiner: Laura E. Martin  
Serial No.: 10/827,030 Group Art Unit: 2853  
Filed: April 19, 2004 Docket No.: 200210152-1  
Title: **FLUID EJECTION DEVICE**

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**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Election/Restriction**

In the written Election/Restriction Requirement mailed December 8, 2006, the Examiner required restriction to one of the following species:

Species I, drawn to a reference conductor being disposed over a portion of the drive switches ; and

Species II, drawn to a reference conductor being disposed along the sides or edges of the slot.

In response to the Election/Restriction Requirement, Applicant hereby elects Species II with traverse for prosecution on the merits. With the election of Species II, Applicant submits that claims 1, 2, 4, 6-20, 43, and 44 are readable on the elected species.

As the Examiner has changed her rationale regarding the basis for Election/Restriction, Applicant respectfully requests that the previous Election/Restriction requirement be reconsidered and withdrawn. Thus, with the election of Species II, Applicant also submits that previously non-elected claims 21, 22-31, 33, 56, and 57 are readable on the elected species.

Accordingly, with the election of Species II, Applicant submits that claims 1, 2, 4, 6-21, 22-31, 33, 43, 44, 56, and 57 are readable on the elected species, and respectfully requests that claims 1, 2, 4, 6-21, 22-31, 33, 43, 44, 56, and 57 be considered and examined.